UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

ALBERT COREY HUNTER,	)	
	)	
Petitioner,	)	
	)	
v.	)	No. 4:16-CV-1300 RLW
	)	
JEFFREY CARSON, et al.,	)	
	)	
Respondent,	)	

MEMORANDUM AND ORDER

This matter is before the Court on the petition of Albert Hunter for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. The petition is denied.

Petitioner is a pretrial detainee charged with several counts of kidnapping, domestic assault, and unlawful possession of a firearm. *Missouri v. Hunter*, No. 1622-CR02888-01 (City of St. Louis). He seeks relief on the basis that he was acting in self-defense. He also believes he is immune from prosecution. On August 22, 2016, the Court ordered him to show cause why this action should not be dismissed for failure to exhaust state remedies.

In response, petitioner claims that he cannot be prosecuted because he is "Sui Juris" and a "Native Moorish American."

Under 28 U.S.C. § 2241(c)(3), the federal courts have jurisdiction over pretrial habeas petitions. *Neville v. Cavanagh*, 611 F.2d 673, 675 (7th Cir.1979). "Despite the existence of jurisdiction, however, federal courts are reluctant to grant pre-trial habeas relief." *Id.* Only when "special circumstances" exist will a federal court find that a pretrial detainee has exhausted state remedies. *Id.* "In most cases courts will not consider claims that can be raised at

trial and in subsequent state proceeding." *Blanck v. Waukesha County*, 48 F. Supp. 2d 859, 860 (D. Wis. 1999).

Petitioner has not demonstrated that "special circumstances" exist that would allow him to bring a pretrial habeas petition. Petitioner can litigate his claims at trial and on appeal, if he is convicted. As a result, this action is dismissed.
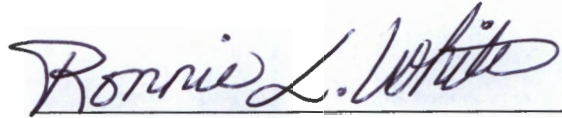
Accordingly,

IT IS HEREBY ORDERED that petitioner's motion for leave to proceed in forma pauperis is **GRANTED**.

IT IS FURTHER ORDERED that this action is **DISMISSED** without prejudice.

An Order of Dismissal will be filed separately.

Dated this 16th day of November, 2016.

RONNIE L. WHITE
UNITED STATES DISTRICT JUDGE